

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**TED CHANDLER and MARTHA CHANDLER**

**PLAINTIFFS**

**vs**

**NO: 3:12-CV-00104-BRW**

**JACOBS ENGINEERING GROUP, INC.,  
PAUL DAVID PENN, MARK ASHER,  
CHARLES P. BRAND, ROBERT  
WILCOX, JR., L. TONY SULLIVAN AND  
APAC-TENNESSEE**

**DEFENDANTS**

**ORDER**

Unless Plaintiffs have evidence that Defendant has the videos and other evidence requested, or has deep-sixed these items in anticipation of litigation, there would be no reasonable ground for me to give a spoliation instruction or the other relief requested by Plaintiffs.

My initial reaction is that Plaintiffs will be able to point out that the videos and other items of evidence are routinely produced in the normal course of business and were not at the time in question.

Plaintiffs' Third Motion to Compel and For Sanctions (Doc. No. 88) is DENIED.

IT IS SO ORDERED this 10th day of March, 2014

/s/ Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE